

**TOWN OF DAVIE  
TOWN COUNCIL AGENDA REPORT**

**TO:** Mayor and Councilmembers

**FROM/PHONE:** Emilio DeSimone, Project Manager, Capital Projects, (954) 797-1085

**PREPARED BY:** Emilio DeSimone, Project Manager, Capital Projects, (954) 797-1085

**SUBJECT:** Resolution

**AFFECTED DISTRICT:** 3

**ITEM REQUEST:** Staff Requesting a Tabling/Withdrawal

**TITLE OF AGENDA ITEM:** AMENDMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE A RESOLUTION AMENDING RESOLUTION R-96-071, CHANGING INTENDED USE OF TRACT 41 FROM PUBLIC OPEN SPACE TO PUBLIC PURPOSE USE; AND PROVIDING AN EFFECTIVE DATE. (tabled from May 21, 2008)

**REPORT IN BRIEF:** At the North East corner of S.W. 26th Street and Flamingo Road, the Town has ownership of a public open space parcel. This resolution will change the use of this parcel from Public Open Space to Public Purpose Use. This change of use will allow the Town to construct a new Fire / Rescue Station on this site to replace the existing Station at 3600 South Flamingo Road. This resolution will revise Resolution # R-960-071, which deeded the parcel to the Town from the State of Florida, and has concurrence from F.D.O.T. on the use reclassification.

**PREVIOUS ACTIONS:** Resolution #'s R-95-205 and R-96-071

**CONCURRENCES:** N/A

**FISCAL IMPACT:** not applicable

Has request been budgeted? n/a

**RECOMMENDATION(S):** Motion to Approve

**Attachment(s):** Resolution #'s R-96-071 exhibit "A" and R-95-205 exhibit "B", Sketch and Legal Description of property exhibit "C"



# **MEMORANDUM**

## **DAVIE FIRE RESCUE**

### **OFFICE OF THE FIRE CHIEF**

**TO:** Russell Muniz, Town Clerk

**FROM:** Joseph Montopoli, Fire Chief

**SUBJECT:** Agenda Items – June 18<sup>th</sup> Council Meeting

**DATE:** June 9, 2008

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We are requesting the following Easy Agenda items related to the new fire stations to be withdrawn from June 18<sup>th</sup> Council Agenda Meeting to allow staff to meet with Council. These items will be resubmitted at a later date.

- 4.18 New Fire Station Westside (Tabled from May 21, 2008)
- 4.19 Fire Station 68 Replacement (Tabled from May 21, 2008)
- 4.20 New Fire Stations (Tabled from May 21, 2008)
- 4.21 Open Space to Public Use (Tract 41) (Tabled from May 21, 2008)

Emilio De Simone has request that we include his agenda item in this request since it is in reference to the new fire stations.

cc: Manny Diez, Public Works Director  
Emilio DeSimone, Capital Projects

RESOLUTION \_\_\_\_\_

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE A RESOLUTION AMENDING RESOLUTION R-96-071, CHANGING INTENDED USE OF TRACT 41 FROM PUBLIC OPEN SPACE TO PUBLIC PURPOSE USE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The Town of Davie is in need of amending resolution R-96-071 placing the Public on notice of the intended change on one of the three Parcels to Public Purpose Use from Public Open Space; and

WHEREAS, the Town of Davie desires to amend this resolution for use as a construction site for a new Fire / Rescue Station.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The Town Council of the Town of Davie hereby authorizes the appropriate Town officials to execute this resolution for the Intent of Public Use on this Tract 41 of attached Exhibit "A".

SECTION 2. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2008.

\_\_\_\_\_  
MAYOR/COUNCIL MEMBER

ATTEST:

\_\_\_\_\_  
TOWN CLERK

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2008.

Exhibit A

RESOLUTION NO. R-96-071

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING A PUBLIC PURPOSE QUIT CLAIM DEED FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION CONVEYING THREE PARCELS OF LAND ALONG THE FLAMINGO ROAD CORRIDOR FOR OPEN SPACE PURPOSES; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Florida Department of Transportation (FDOT) reconstructed Flamingo Road within the municipal limits of the Town of Davie between State Road 84/I-595 corridor and Orange Drive; and

WHEREAS, the FDOT no longer needs three parcels of land acquired for the reconstruction project; and

WHEREAS, the Town Council has expressed concern regarding the potential future uses of the parcels and requested, most recently through Resolution R-95-205, that the FDOT preserve these parcels for Open Space use; and

WHEREAS, the Secretary of the FDOT approved conveyance of the three parcels to the Town of Davie for public purposes and for inclusion in the Town's Open Space Program; and

WHEREAS, it is in the best interest of the Town of Davie that the three parcels are conveyed to the Town as part of its Open Space Program.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. That the Town Council of the Town of Davie accepts the Public Purpose Quitclaim Deed from the State of Florida Department of Transportation, a copy of which is attached hereto as Exhibit "A."

SECTION 2. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 1996

ATTEST:

\_\_\_\_\_  
MAYOR/COUNCILMEMBER

\_\_\_\_\_  
TOWN CLERK

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 1996

Exhibit B

RESOLUTION NO. R-95-205

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, REASSERTING  
DAVIE'S INTEREST IN THREE PARCELS ALONG FLAMINGO ROAD FOR  
OPEN SPACE PURPOSES; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Florida Department of Transportation has completed  
construction of Flamingo Road; and

WHEREAS, the frontage roads along Flamingo Road have been conveyed to  
and accepted by the Town of Davie; and

WHEREAS, the Town previously expressed interest in acquiring title to three  
parcels of land along the Flamingo Road corridor, between Flamingo Road and the  
frontage road, for inclusion in the Town's Open Space Program; and

WHEREAS, the three subject parcels are important to the Davie Open Space  
Program as they shall serve as trailheads for the Recreational Pathway Network,  
and further roadway enhancement efforts.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN  
OF DAVIE, FLORIDA:

SECTION 1. That the Town Council of the Town of Davie reasserts its  
interest in the three parcels of land, indicated in the attached map, for public  
purposes.

SECTION 2. This resolution shall take effect immediately upon its passage  
and adoption.

PASSED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 1995

\_\_\_\_\_  
MAYOR/COUNCILMEMBER

ATTEST:

\_\_\_\_\_  
TOWN CLERK

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 1995

SURPLUS

PARCEL NO. 130-PART

SECTION 86190-2516

That part of the West One-Half of Tract 41 of FLORIDA FRUIT LANDS COMPANY SUBDIVISION NO. 1, according to the plat thereof, as recorded in Plat Book 2, Page 17 of the Public Records in Dade County, Florida, in Section 13, Township 50 South, Range 40 East, Broward County, Florida, more particularly described as follows:

COMMENCE at the Southwest corner of said Section 13; thence North 89°42'27" East along the Southerly line of said Section 13, a distance of 34.95 feet to a point on the Baseline of Survey for State Road 823 (Flamingo Road), as shown on that Florida Department of Transportation Right of Way Map Number 86190-2516; thence North 00°09'38" West along said Baseline of Survey, a distance of 40.46 feet; thence North 89°50'22" East along a line at right angles to the last described course, a distance of 203.05 feet to a point on the Existing Limited Access Right of Way line and the POINT OF BEGINNING; thence North 00°10'04" West, a distance of 290.60 feet to a point on the Southerly Existing Right of Way line for the Frontage Road; thence North 89°42'46" East along said Southerly Existing Right of Way line, a distance of 290.87 feet to a point on a curve concave Southwesterly, having a chord bearing of South 45°13'35" East; thence Easterly and Southerly along said curve, having a radius of 71.00 feet, through a central angle of 90°07'18", an arc distance of 111.68 feet to the end of said curve; thence South 00°09'56" East, a distance of 184.50 feet; thence South 44°46'16" West, a distance of 49.44 feet to a point on the Existing Limited Access Right of Way line; thence South 89°42'27" West along a line 40.00 feet North of and parallel with the South line of said Section 13, a distance of 327.09 feet to the POINT OF BEGINNING:

RESERVING unto said grantor all right of Access, Ingress, Egress, Light, Air, and View along the following described line:

COMMENCE at the Southwest corner of said Section 13; thence North 89°42'27" East along the Southerly line of said Section 13, a distance of 34.95 feet to a point on the Baseline of Survey for State Road 823 (Flamingo Road), as shown on that Florida Department of Transportation Right of Way Map Number 86190-2516; thence North 00°09'38" West along said Baseline of Survey, a distance of 331.06 feet; thence North 89°50'22" East along a line

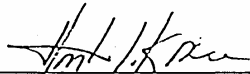
EX-259815-0000

at right angles to the last described course, a distance of 203.01 feet to a point on the Existing Limited Access Right of Way line and the BEGINNING of the herein described line; thence South 00°10'04" East, a distance of 290.60 feet; thence North 89°42'27" East along a line 40.00 feet North of and parallel with the South line of said Section 13, a distance of 327.09 feet; thence North 44°46'16" East, a distance of 49.44 feet and the END of herein described line.

Containing 2.376 acres, more or less.

I hereby certify that to the best of my knowledge and belief the attached legal description of Parcel 130-PART, as shown on the Right of Way Maps for State Road No. 823, Project Number 86190-2516 are true, accurate and was prepared under my direction.

I further certify that said legal description is in compliance with the Minimum Technical Standards as set forth by the Florida Board of Professional Land Surveyors pursuant to Section 472.027 Florida Statutes.



Florida Registered Land Surveyor No.: 3509

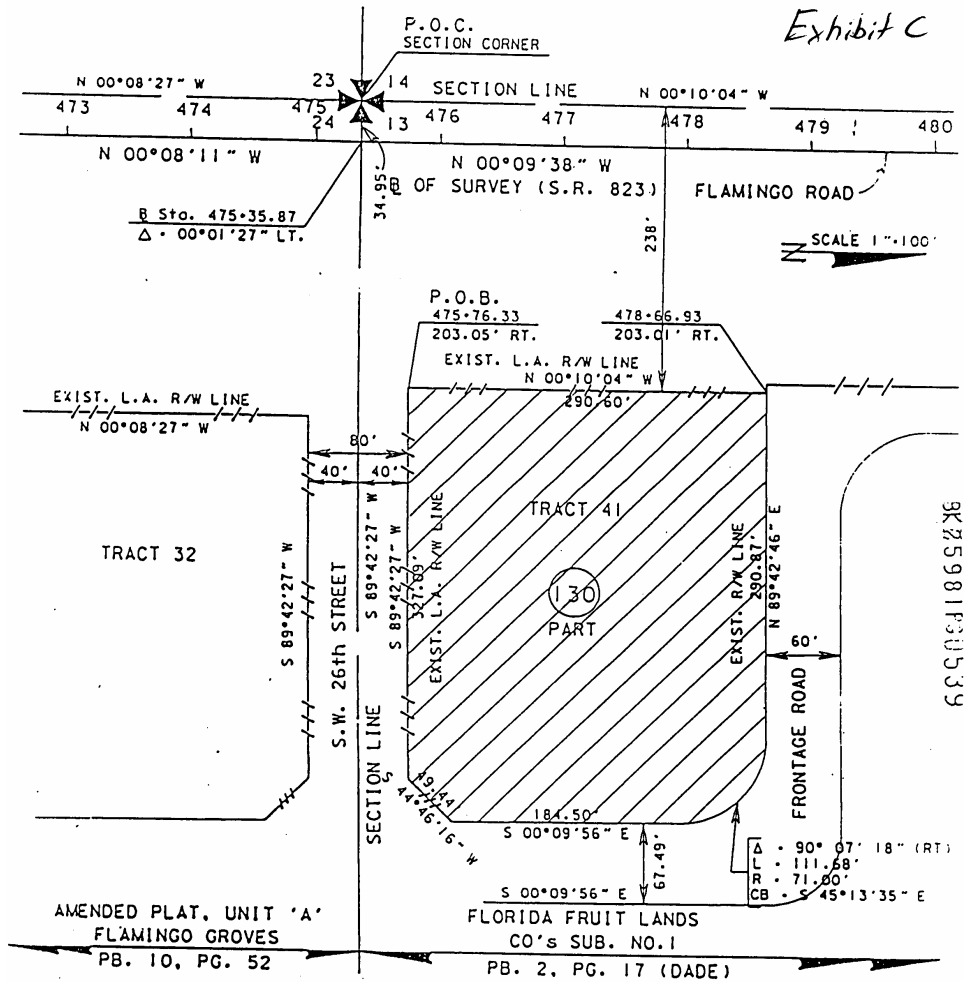
Date: 5-30-95

Florida Department of Transportation

8625981F3U534

SEC. 13, TWP. 50 S., R. 40 E.

Exhibit C



NOTES:

BEARINGS SHOWN HEREON ARE BASED ON THE RIGHT OF WAY MAP FOR STATE ROAD 823 (FLAMINGO ROAD) STATE PROJECT NO. 86190-2516 SHEETS 8 & 15 OF 22.

THIS SKETCH EXIST SOLELY FOR THE PURPOSE OF ILLUSTRATING THE LEGAL DESCRIPTION TO WHICH IT IS ATTACHED.

HATCHED AREA TO BE TRANSFERRED TO THE TOWN OF DAVIE.

ALL DIMENSIONS ARE CALCULATED UNLESS OTHERWISE NOTED.

AREA - 2.376 AC.  
NOT A SURVEY

FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY SURVEYING AND MAPPING			
RIGHT OF WAY PARCEL SKETCH			
STATE ROAD NO. 823		BROWARD COUNTY	
BY	DATE	APPROVED BY	
PRELIM L. DANO	05-12-95	<i>[Signature]</i> 5-30-95	
FINAL L. DANO	05-12-95		
CHECKED GUILIANO	05-15-95		
MAPS PREPARED BY		DISTRICT ADMIN. OF SURVEY & MAPPING	
DISTRICT 4		FIELD BOOK NO. 'S	
W.P.I. NO. 4110491		N/A	
SECTION 86190-2516		SCALE: 1" = 100'	
SHEET 2 OF 2			

